

Senate File 446

S-3172

1 Amend Senate File 446 as follows:

2 1. Page 31, by striking lines 29 and 30 and
3 inserting <expressly authorized by law:>

4 2. Page 31, by striking lines 32 through 34 and
5 inserting:

6 <1. Iowans support reducing the number of abortions
7 performed in our state. Funds appropriated in this
8 section shall not be used for abortions. For the
9 purposes of this section, "abortion" does not include
10 any of the following:

11 a. The treatment of a woman for a physical
12 disorder, physical injury, or physical illness,
13 including a life-endangering physical condition caused
14 by or arising from the pregnancy itself, that would,
15 as certified by a physician, place the woman in danger
16 of death.

17 b. The treatment of a woman for a spontaneous
18 abortion, commonly known as a miscarriage, when not all
19 of the products of conception are expelled.

20 1A. For an abortion covered under the program,
21 except in the case of a medical emergency, as defined
22 in section 135L.1, for any woman, the physician shall
23 certify both of the following:

24 a. That the woman has been given the opportunity to
25 view an ultrasound image of the fetus as part of the
26 standard of care before an abortion is performed.

27 b. That the woman has been provided information
28 regarding the options relative to a pregnancy,
29 including continuing the pregnancy to term and
30 retaining parental rights following the child's birth,
31 continuing the pregnancy to term and placing the child
32 for adoption, and terminating the pregnancy.>

33 3. Page 70, by striking lines 33 through 35 and
34 inserting:

35 <a. (1) Iowans support reducing the number of
36 abortions in our state. Funds appropriated in this
37 subsection shall not be used for abortions. For the
38 purposes of this section, "abortion" does not include
39 any of the following:

40 (a) The treatment of a woman for a physical
41 disorder, physical injury, or physical illness,
42 including a life-endangering physical condition caused
43 by or arising from the pregnancy itself, that would,
44 as certified by a physician, place the woman in danger
45 of death.

46 (b) The treatment of a woman for a spontaneous
47 abortion, commonly known as a miscarriage, when not all
48 of the products of conception are expelled.

49 (2) For an abortion covered under this subsection,
50 except in the case of a medical emergency, as defined

1 in section 135L.1, for any woman, the physician shall
2 certify both of the following:

3 (a) That the woman has been given the opportunity
4 to view an ultrasound image of the fetus as part of the
5 standard of care before an abortion is performed.

6 (b) That the woman has been provided information
7 regarding the options relative to a pregnancy,
8 including continuing the pregnancy to term and
9 retaining parental rights following the child's birth,
10 continuing the pregnancy to term and placing the child
11 for adoption, and terminating the pregnancy.>

12 4. Page 115, after line 11 by inserting:

13 <DIVISION _____

14 DISTRIBUTION OF FAMILY PLANNING FUNDS

15 Sec. _____. DISTRIBUTION OF FAMILY PLANNING FUNDS.

16 1. As used in this section, unless the context
17 otherwise requires:

18 a. "Department" means department as defined in
19 section 7E.4.

20 b. "Federally qualified health center" means a
21 health care provider that is eligible for federal
22 funding under 42 U.S.C. § 1396d(1)(2)(B).

23 2. Notwithstanding any other law to the contrary,
24 any expenditure, award, or other distribution of state
25 or federal family planning funds shall be made to
26 eligible applicants in the following order of priority:

27 a. Public entities that provide family planning
28 services including state, county, or local community
29 health clinics and federally qualified health centers.

30 b. Nonpublic entities that, in addition to family
31 planning services, provide required primary health
32 services as described in 42 U.S.C. § 254b(b)(1)(A).

33 c. Nonpublic entities that provide family planning
34 services but do not provide required primary health
35 services as described in 42 U.S.C. § 254b(b)(1)(A).

36 3. A department shall ensure distribution of
37 federal family planning funds in a manner that does not
38 severely limit or eliminate access to family planning
39 services in any region of the state.

40 4. A department shall not distribute state or
41 federal family planning funds under this section to
42 any entity that performs abortions or that maintains
43 or operates a facility where abortions are performed.
44 For the purposes of this section, "abortion" does not
45 include any of the following:

46 a. The treatment of a woman for a physical
47 disorder, physical injury, or physical illness,
48 including a life-endangering physical condition caused
49 by or arising from the pregnancy itself, that would,
50 as certified by a physician, place the woman in danger

1 of death.

2 b. The treatment of a woman for a spontaneous
3 abortion, commonly known as a miscarriage, when not all
4 of the products of conception are expelled.

5 5. State or federal family planning funds
6 distributed in accordance with this section shall not
7 be used for direct or indirect costs, including but not
8 limited to administrative costs or expenses, overhead,
9 employee salaries, rent, and telephone and other
10 utilities, related to providing abortions as specified
11 in subsection 4.

12 6. Any department that distributes state or federal
13 family planning funds shall submit a report to the
14 governor and the general assembly, annually by December
15 31, listing any entities receiving family planning
16 funds as described in subsection 2, paragraph "c", and
17 the amount and type of funds received by such entities
18 during the preceding calendar year. The report shall
19 provide a detailed explanation of how the department
20 determined that distribution of family planning funds
21 to such an entity, instead of to an entity described
22 in subsection 2 paragraph "a" or "b", was necessary to
23 prevent severe limitation or elimination of access to
24 family planning services in the region of the state in
25 which the entity is located.>

26 5. By renumbering as necessary.

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